

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| <i>In re</i> Application of: |) | |
| |) | Group Art Unit: 1633 |
| Michael Teifel, <i>et al.</i> |) | |
| |) | Confirmation No.: 9429 |
| Application No: 10/575,779 |) | |
| |) | Examiner: James Schultz |
| Filed: September 28, 2007 |) | |
| |) | |
| For: <i>Method of Administering Cationic</i> |) | |
| <i>Liposomes Comprising an Active</i> |) | |
| <i>Drug</i> |) | |

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in C.F.R. § 1.56, Applicants request consideration of this Information Disclosure Statement and the documents listed on the attached Form PTO/SB/08a. Each of the listed documents is attached.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08a with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

In accordance with 37 C.F.R. § 1.97(c), this Information Disclosure Statement is believed to be submitted before the mailing of a Final Office Action. A fee as set forth in 37 C.F.R. § 1.17(p) is submitted concurrently with the submission of this IDS statement.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Director is hereby authorized by this paper to charge any additional fees during the entire pendency of this application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 13-3250, reference No. 40695.00600. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MILBANK, TWEED, HADLEY & McCLOY LLP

Date: February 22, 2011

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